

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
SEPTEMBER 13-14 2010– REGULAR SESSION**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on September 13, 2010 beginning at 10:00 a.m. in the Board of County Commissioners Hearing Room (Room # 102B), Annex Building, 1 N.E. 6<sup>th</sup> Street, Coupeville, Washington. Helen Price Johnson, Chair, Angie Homola, Member, and John Dean, Member were present. The meeting began with the Pledge of Allegiance.

EMPLOYEE SERVICE AWARDS (Recording Part 1 @ :30)

WELCOME TO NEW EMPLOYEES - AUGUST

<u>Department</u>	<u>Employee</u>
Prosecuting Attorney	Jenna Knutsen
WSU Extension – Program Coordinator Noxious Weeds	Thane Tupper

EMPLOYEE SERVICE AWARDS

<u>Department</u>	<u>Employee</u>	<u>No Years</u>
District Court	Margaret Paczkowski	20
Health	Kathryn Hicks	5
Health	Melvin Thom	10
Health	Melisa Doss	20
Planning	Andrew Hicks	5
Public Works	Ruth Postovit	10

EMPLOYEE OF THE MONTH FOR AUGUST

Janet McWatt – Public Health Nursing

Janet works as a Nurse in the Camano clinic, where she has tirelessly provided compassionate care and assistance to her clients. In her tenure at the clinic she has developed a strong bond with the Camano community, her medical colleagues in Everett and Stanwood, and the emergency responders. Her commitment to her job and the people she serves is evident. Janet continually finds ways to solve problems and provide care and assistance, despite limited resources and time. Her dedication to her duties sets the highest standard for the Nursing Division of the Island County Health Department in its mission to protect and promote the health of our community.

PUBLIC INPUT OR COMMENTS (Recording Part 1 @ 17:35)

A considerable number of the public (23) attended the meeting to comment about Consent Agenda Item 23, *Resolution C-73-10/PW-01-10 In the Matter of Appointment of Special Counsel for Clean Water Utility Matters Waiver of Competitive Solicitation per ICC 2.29.030(B)(12)* and Consent Agenda Item 24, *Resolution C-74-10/PW-02-10 In the Matter of the Board of Island County Commissioners Employing Attorneys to Serve as Special Counsel for 2010-2012 Clean Water Utility Issues*. They expressed concern about the

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proposed Clean Water Utility, asking that the Board remove both items from the Consent Agenda to provide an opportunity for the public to understand the proposal and participate in the discussion. Some requested that the items be pulled and not considered at all. Several advocated that the County should implement no additional taxes and re-prioritize spending decisions. (*Handouts provided by Ms. Emerson and Mr. Sherman and on file with the Clerk of the Board*).

It was also mentioned that Item 4, *Contract with Island Affordable Housing Trust, dba Saratoga Community Housing to acquire land for two homes to be sold to households under 40% of the area median income* should be removed from the Consent Agenda and prior to proceeding with allocating the \$45,000, the Board should look into whether a proper audit was conducted for Saratoga Community Housing and whether there were adverse findings. It was also believed that Commissioner Homola should recuse herself from any decision concerning Saratoga Community Housing because of her association with the group as a Board member.

Clyde Monma spoke to AT&T's pre-application for constructing a cell tower on Possession Point Ridge approved by the Commissioners in early summer. While he and his neighbors do not oppose the building of a cell tower, they believe the location is not appropriate (easements were not discussed, air conditioning and generators will create noise, the tower is within five miles of Paine Field which would warrant the necessity of a red warning light on top of the tower, proposed is a 12-foot wide gravel road with a six-foot wide ditch for utilities and drainage, and it is feared that the nature of the Dorothy Cleveland Trail may be damaged with the construction of the gravel road). Mr. Monma asked that AT&T be required to hold another public meeting based on the information provided and that it be sent a letter to that effect. A meeting of concerned citizens with the County Planner was also requested.

**CONSENT AGENDA** (Recording Part 1 @ 1:02:15)

*[Documents on file with the Clerk of the Board]*

BY UNANIMOUS MOTION (3-0) the Board approved the following items presented on the Consent Agenda with the exception of Item 4, *Contract with Island Affordable Housing Trust, dba Saratoga Community Housing*, Item 23, *Resolution C-73-10/PW-01-10 In the Matter of Appointment of Special Counsel for Clean Water Utility Matters Waiver of Competitive Solicitation per ICC 2.29.030(B)(12)*, and Item 24, *Resolution C-74-10/PW-02-10 In the Matter of the Board of Island County Commissioners Employing Attorneys to Serve as Special Counsel for 2010-2012 Clean Water Utility Issues* moved to the Regular Agenda for discussion:

Pre-audited bills: \$117,185.46  
 Vouchers: \$2,348,824.58  
 Electronic funds transfers: \$217,001.00  
 Jury Batches: \$9,535.55  
 Payroll: None presented  
 Minutes: Regular Session - 8/23/10

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Human Resources - Personnel Action Authorizations

<u>Department</u>	<u>PAA #</u>	<u>Description</u>	<u>Position #</u>	<u>Action</u>	<u>Eff. Date</u>
Clerk	061/10	Deputy Clerk I .60 fte	503.01	Personnel Action (reduce hours)	10/04/10
Clerk	062/10	Deputy Clerk I – Temp	503.06	New Position	09/13/10
Public Works	063/10	SW Attend. I .60 fte	2248.00	Personnel Action (increase hours)	09/20/10
Public Works	064/10	SW Attend. I .60 fte	2248.03	Personnel Action (increase hours)	09/20/10
Public Works	065/10	SW Attend – On Call	2248.23	New Position	09/13/10
Public Works	066/10	SW Attend- On Call	2248.22	New Position	09/13/10

Human Services

- Contract with Big Brothers/Big Sisters to provide mentoring/tutoring services to at-risk-youth. Contract No. HS-14-09(1); Amount: \$6,500 (RM-HS-10-0362)
- Contract with South Whidbey School District to provide the Leadership and Resiliency Program to at-risk-youth. Contract No. HS-18-10; Amount: \$12,500 (RM-HS-18-10)
- Contract with Jay Shapiro to provide short term mental health counseling services. Contract No. HS-25-10; Amount: \$5,000 (RM-HS-10-0351)
- Agreement with Stanwood-Camano School District #401 to allow the school district to house the school-based mental health service of the County. Contract No. HS-24-10 (RM-HS-10-0350)
- Agreement with South Whidbey School District #206 to allow the school district to house the school-based mental health service of the County. Contract No. HS-23-10 (RM-HS-10-0349).
- Agreement with Oak Harbor School District #201 to allow the school district to house the school-based mental health service of the County. Contract No. HS-22-10 (RM-HS-10-0348)
- Agreement with Coupeville School District #204 to allow the school district to house the school-based mental health service of the County. Contract No. HS-21-10 (RM-HS-10-0347)

Planning & Community Development

Purchase Order 5934: ESRI, Inc. for GIS software maintenance \$5,000.20 (RM-PLAN-10-0382)

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Public Health

- Out-of-State Travel Authorization – Authorization to attend the “Place Matters: Working Together to Create Healthy Communities” conference to be held November 1-3, 2010 in Portland, Oregon. Conference attendance cost to be paid by the ACHIEVE grant.
- Letter of Support for Island County Medical Reserve Corp’s application for a National Association of County & City Health Officials capacity building grant.
- Contract Collection Agreement with Whidbey Island Bank for On-Site Repair Financial Assistance Program (Leggee)

Public Works - County Roads

- Resolution C-72-10/R-25-10 In the Matter of Initiating a County Road Project designated as CRP 10-04, Work Order No. 195; McElroy Drive/East Camano Drive Intersection Improvements
- Local Agency Federal Aid Project Prospectus – Washington State Department of Transportation; McElroy Drive/East Camano Drive Intersection Improvements; CRP 10-04, Work Order No. 195
- Local Agency Agreement – Washington State Department of Transportation; McElroy Drive/East Camano Drive Intersection Improvements; CRP 10-04, Work Order No. 195; \$812, 000.00 (Federal/\$300,000.00, County/\$512,000.00) (RM-PW-10- 0371)(PW-1020-076)
- Supplemental Agreement No. 1 – Washington State Department of Transportation LA7002; Los Cost Run-off Road Safety Improvements; CRP 09-08; Obligate Construction Engineering Funds; \$320,000.00 (Federal) (RM-PW-10-0386) (PW-1020-080)
- Consultant Agreement – Aziz Engineering Company; On-Call Geosturctural Engineering Services; \$300,000.00; Completion Date of December 31, 2013. (RM-PW-10-0378)(PW-1020-070)
- Temporary Construction Easement & Agreement – James & Iris Morrow and Morrow Family Trust; Woodard Road Shoulder Widening; Work Order No. 216; Parcel 016-2890; Sec. 10, Twp 29N, R 2E. (RM-PW-10-0366) (PW-1020-074)
- Quit Claim Deed – James & Iris Morrow and Morrow Family Trust; Woodard Road Shoulder Widening; Work Order No. 216; \$739.00 (Land); Parcel 016-2890; Sec. 10, Twp 29N, R 2E

WSU Extension Services

- Amendment No. 1 to Community Litter Cleanup Program Agreement between Island County and Lighthouse Environmental Programs. This Amendment reduces the financial support from \$54,400 to \$27,700. Amount: \$27,700 (RM-WSU-10-0191)
- Agreement between Lighthouse Environmental Programs and Island County. This agreement provides financial support of operations of the County with Northwest Clean Air Agency. Amount: \$5,000 (RM-WSU-10-0357)

Liquor License(s)

- New Application for Liquor License No. 405005-3D by the Greenbank Store LLC, Ruth Katherine Buzard
- Letter Request for 20 day Extension for Approval of Special Occasion Liquor License No. 091651 by the Orca Network
- New Application for Liquor License No. 406934-6E by Kayak Spirits Distillery LLC, Eric R. Stallman and Katherine A. Stallman, 5490 Cameron Rd., Freeland, WA 98249

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- Letter Request for 20-day Extension for Approval of New Application for Liquor License No. 406938-6E by Live Edge Farm LLC, Alvaro Lobon Vega, Andrew Jackson Adams and Rio Carmen Rayne

REGULAR AGENDA (Recording Part 1 @ 1:10:55)

*[Documents on file with the Clerk of the Board]*

Human Services

Contract with Island Affordable Housing Trust, dba Saratoga Community Housing to acquire land for two homes to be sold to households under 40% of the area median income. Contract No. HS-20-10; Amount: \$45,000 (RM-HS-10-0355)

Ms. Henderson provided a response to concerns raised about where the money comes from and the strategy moving forward with Affordable Housing. By legislation the County collects certain amounts of money as an add-on to recording fees that is to be used for affordable housing programs (refurbishing, rental assistance, fund shelters, and others), for those who are homeless or who are at risk of being homeless. The add-on to the recording fees is restricted in use meaning those funds cannot be used for any other purpose. Human Services is in the process now of merging the Affordable Housing Advisory Committee and Homeless Housing Task Force programs (mandated through legislation), to be referred to as The Housing Advisory Committee. The effort is to increase efficiency and effectiveness for the restricted funds to better meet a larger population in the community.

Commissioner Homola answered the belief that she should recuse herself from the decision to let the contract, saying that she and her fellow Board members sit on a number of boards and it would be impossible to conduct business if they recused themselves from such actions.

MOVED BY DEAN, SECONDED BY HOMOLA, to APPROVE the Contract with Island Affordable Housing Trust in the amount of \$45,000. MOTION CARRIED: 3-0

Public Works

- Resolution C-73-10/PW-01-10 In the Matter of Appointment of Special Counsel for Clean Water Utility Matters Waiver of Competitive Solicitation per ICC 2.29.030(B)(12)
- Resolution C-74-10/PW-02-10 In the Matter of the Board of Island County Commissioners Employing Attorneys to Serve as Special Counsel for 2010-2012 Clean Water Utility Issues

The objective was to develop a firm proposal that could be taken to a public hearing. The Board has not yet made any firm decisions with respect to a Clean Water Utility; instead, this effort is to request assistance from Special Counsel who can develop a proposal that has undergone review for legal compliance. While the public's concerns are certainly heard and understood, the Board is merely at this time seeking the advice of someone who has a background and experience on such matters which, in the long run, will save taxpayer dollars. The Board was in agreement that a need exists to protect our water supply. The Board noted that several public meetings have already transpired starting many years back when Commissioner Shelton was on board.

Mr. Oakes added that Foster Pepper is a well-known firm, knowledgeable in the subject of Clean Water Utilities. The firm helped to form similar Utilities in other counties as well as in

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Island County (the Marshall Drainage Basin). The Board is not approving a final document today and prior to such a document being considered, further public outreach and public hearings will occur.

Mr. Oakes and Mr. Higman added that what is proposed to be included in the Utility are: 1) additional storm water/surface water run-off projects program; 2) low impact development; 3) resurrecting the hydrogeology program; 4) surface water quality monitoring; and 5) inclusion of operation and maintenance program for on-site sewage and septic systems. Mr. Higman added that 76% of the basins tested in Island County failed for presence of fecal coliform levels.

MOVED BY DEAN, SECONDED BY HOMOLA to APPROVE Resolution C-73-10/PW-01-10 (Waiver of Competitive Solicitation). MOTION CARRIED: 3-0

MOVED BY DEAN, SECONDED BY HOMOLA, to APPROVE Resolution C-74-10/PW-02-10 (Employing Attorneys to Serve as Special Counsel). MOTION CARRIED: 3-0

Planning & Community Development

Schedule Public Meeting – CPA 155/04 - Oak Harbor UGA Comprehensive Plan Amendment

The Board will consider adoption or changes to the Planning Commission's recommendation following public comment.

MOVED BY DEAN, SECONDED BY HOMOLA, to **SCHEDULE PUBLIC MEETING ON OCTOBER 11, 2010 at 10:20 a.m.** MOTION CARRIED: 3-0

Contract with Michael Bobbink to provide professional services as Hearing Examiner related to the County's land use regulatory laws.

MOVED BY DEAN, SECONDED BY PRICE JOHNSON, to APPROVE the contract with Michael Bobbink for Hearing Examiner services. Contract amount \$12,000 (RM-PLAN-10-0372). MOTION CARRIED: 3-0

PRD 001/06 Saratoga Hills Final Approval 8 lot Planned Residential Development application: (Parcel No.R23112-447-1710)

MOVED BY DEAN, SECONDED BY HOMOLA, to APPROVE PRD 001/06. MOTION CARRIED: 3-0

Public Works - County Roads

Resolution C-75-10/R-26-10 In the Matter of Amending Island County's Six-Year Transportation Improvement Program for the Years 2011-2016

According to Mr. Oakes the Transportation Improvement Plan is proposed to be revised in order to include a request for grant funding to fund improvements to the left turn lane at the Coupeville Transfer Station.

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MOVED BY HOMOLA, SECONDED BY DEAN, to ADOPT Resolution C-75-10/R-26-10.  
MOTION CARRIED: 3-0

Commissioners

Consider Appointments and/or Re-Appointments to Boards and Committees

*Pulled from the Agenda/Not considered - Resignation of Ron Van Dyke from the Historical Review Committee*

Proclamation Resolution C-76-10 In the Matter of Congratulating the Saratoga Chamber Orchestra on Their 2010-2011 Season

MOVED BY HOMOLA, SECONDED BY DEAN, to ADOPT Resolution C-76-10.  
MOTION CARRIED: 3-0

Public Hearings

*None scheduled*

At 11:47 a.m. the Chair recessed the Board's meeting, reconvening at 11:54 a.m. for budget workshop.

BUDGET WORKSHOP (Recording Part 2)

Discussion of 2011 Estimated Revenues

Ms. Marlow recapped available revenues and impacts to those funds. Some department budgets have yet to be received and those budget proposals affect various different types of revenues; thus, an overall picture of revenues will not be available until she has an opportunity to review all the narratives.

The goals set for the 2011 budget process are: 1) stabilize the County's finances; 2) better align available revenues with the ability to provide services; 3) recoup costs of providing services whenever possible; 4) increase operating cash to acceptable levels; 5) schedule the budget hearing on October 4 with the intent to adopt the budget earlier in the year so the County can begin impact bargaining with the unions.

Once Ms. Marlow receives all the narratives she will then compile the additional budget information and present it to the Board. Tomorrow, on Tuesday, the budget discussion will include transfers and revenues as Ms. Marlow expects those to be finalized. The Board's goals may also be discussed. She expects to resolve the two issues with ER&R and Solid Waste so will compile the additional budget information, along with cost savings, and present those with her recommendations to the Board on Wednesday.

COMMISSIONERS COMMENTS & ANNOUNCEMENTS (Recording Part 2 @ 37:50)

*Commissioner Homola*

- Attended Oak Harbor's Military Appreciation Picnic Day. Later the same day she attended in Freeland the Veterans' Resource Center grand opening.
- Attended the State Building Code Council public hearing with continued work toward the adoption of the Energy Code (expected to be adopted January 1, 2011).

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- Brief discussion concerning the letter received from Senior Services and possible reduction to the program that would affect public safety and health.

*Commissioner Dean*

- Attended 9-11 Commemoration and grand opening of the Vista/Madrona Fire Station on Camano Island

At 12:37 p.m. the Board recessed its meeting to Tuesday, September 14 at 10:00 a.m. for continued budget discussions.

**REGULAR SESSION RECONVENED – SEPTEMBER 14, 2010** (Recording Part 3)

At 10:15 a.m. Chair Price Johnson reconvened the Board's Regular Session to continue discussion on the 2011 budget process.

Ms. Marlow indicated that she is still missing some key pieces of information. After doing a quick run-through of revenues with the information in hand, she determined the Board will be able to balance the budget and set aside money to fund out-years; however, she does not yet know what those out-years will look like. Unless the Board receives Union concessions on medical the General Fund will continue to struggle. Another remaining issue is the operation of the Juvenile Detention Center. Following a broad discussion Ms. Marlow indicated that at tomorrow's Wednesday Work Session she will present the Current Expense fund, a recommendation memorandum, and summary information on all the other involved funds. Her question at the end of tomorrow will be if the budget process is far enough along that the Board can schedule a public hearing on October 4.

Public outreach continues to be a priority so the Board discussed options to make sure people are aware of the Board's efforts to address not only the challenges with the budget, but also issues with County government in general.

There being no further business to come before the Board the meeting adjourned at 11:08 a.m. The Board will meet next in Regular Session on September 20, 2010 beginning at 10:00 a.m.

BOARD OF COUNTY COMMISSIONERS  
ISLAND COUNTY, WASHINGTON

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Helen Price Johnson, Chair

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Angie Homola, Member

\_\_\_\_\_  
John Dean, Member

ATTEST:

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Elaine Marlow, Clerk of the Board